

BILL NO. 2249

ORDINANCE NO. 2249

AN ORDINANCE APPROVING THE SUBDIVISION PLAT FOR “LITZSINGER CORNER”

WHEREAS, the City received a request from the Johnson Development Company to adjust the property line between the properties at 9762 Litzsinger and the adjacent property at 76 Trent; and

WHEREAS, the property owner of 76 Trent, Mary Annette Ritchie, and the owners of 9762 Litzsinger, Maurice and Margaret Meslans, have signed the application and consent to this resubdivision; and

WHEREAS, pursuant to Section 94-1 and Article III of Chapter 94 of the Ladue Code, the City Planner has determined that this action should constitute a small subdivision subjecting it to the procedures under Article III of Chapter 94 since this request does not create new lots nor does it require changes to the roadway; and

WHEREAS, pursuant to Section 94-3, the City Planner has requested that the single ownership requirement for a small subdivision be waived since this resubdivision involves the adjustment of two existing lots and does not create any new lots; and

WHEREAS, all parcels meet the minimum lot size for the B zoning district and this action does not propose or require any new public improvements; and

WHEREAS, this resubdivision will eliminate existing nonconformities on these existing lots; and

WHEREAS, according to the procedure laid out in Section 94-59 for a small subdivision, the preliminary plat for this resubdivision was reviewed and approved by the City Planner; and

WHEREAS, the proposed resubdivision and adjustment of lot lines between 9762 Litzsinger and 76 Trent is not in compliance with the City Code until such time that certain structures that currently exist on 76 Trent are demolished due to their location within the required setback area; and

WHEREAS, applicant desires to have subdivision approval prior to demolishing the existing structures but plans on and agrees to demolishing such structures; and

WHEREAS, in accordance with the procedures under Section 94-59, applicant submitted a final plat for review and the final plat was reviewed and approved by the City Planner and submitted to the City Council for final approval with pre-conditions to address the existing structures issue; and

WHEREAS, this bill has been made available for public inspection prior to its consideration by the City Council and read by title two times in open meeting prior to its passage; and

WHEREAS, after review of the application and the staff comments, the City Council finds that the requested resubdivision plat constitutes a small subdivision, that all administrative procedures for the granting of a small subdivision have been followed in accordance with Chapter 94 of the Ladue Code, and that the final plat meets the requirements of the City upon satisfaction of certain pre-conditions and should be therefore so approved.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LADUE, ST. LOUIS COUNTY MISSOURI, AS FOLLOWS:

Section 1. That the single ownership requirement to qualify for a small subdivision is hereby waived in accordance with Section 94-3, and that subject to satisfaction of the pre-conditions within Section 2, the attached final plat for “**LITZSINGER CORNER**” as surveyed and certified by the Clayton Engineering Company in the month of November, 2019, and as depicted on the attached Exhibit A, which was duly presented to the City Council, is hereby approved.

Section 2. That such approval be endorsed upon such final plat under the hand of the City Clerk and the seal of the City of Ladue, St. Louis County, Missouri, but only after the following pre-conditions have been satisfied:

- a. the demolition of the structures and regrading of the property is carried out as noted on the plat marked “PRELIMINARY” and dated 12/11/2019, in conformance with the City’s demolition permitting process, and
- b. the presentation to the City Clerk of the final plat of said Resubdivision Plat on tracing cloth or mylar with all required signatures and attestations.

Failure to satisfy either of the above pre-conditions within 6 months of passage of this ordinance shall result in the conditional approval of the final plat herein being null and void and no force and effect.

Section 3. Pursuant to Section 94-6 of the Ladue Code, and upon satisfaction of the preconditions of Section 2 so as to authorize endorsement by the City Clerk of such final plat, the subdivider shall record the final Resubdivision Plat with the St. Louis Recorder of Deeds and then shall promptly furnish to the City Clerk a certificate from the Recorder of Deeds that such approved Resubdivision Plat has been duly filed for record.

Section 4. This ordinance shall be in full force and effect from and after its adoption and approval by the Mayor.

PASSED THIS ____ DAY OF _____ 2020.

President, City Council

ADOPTED AND APPROVED THIS ____ DAY OF _____ 2020.

Nancy Spewak, Mayor

ATTEST:

Laura Rider, City Clerk

